



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
LAND USE PLANNING COMMISSION
22 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB
COMMISSIONER

NICHOLAS D. LIVESAY
EXECUTIVE DIRECTOR

PERMIT

CONDITIONS OF APPROVAL FOR AMENDMENT H TO BUILDING PERMIT BP9901-H

DENNIS W. AND CINDY L. FRIGON
PO BOX 99
ROCKWOOD, ME 04478

SEPTEMBER, 17 2015

1. **At least one week prior to commencing the permitted activities**, the permittee or the designated agent must contact the Commission staff and notify them of the estimated date construction work will start. Notice may be provided in writing, in person, by email, or by calling. If you leave or send a message, please include your full name, telephone number, permit number, and the date the work will start.
2. Construction activities authorized in this permit must be substantially started within 2 years of the effective date of this permit and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
3. Structures authorized under this permit, as well as filled and graded areas and cleared openings created as part of construction activities authorized under this permit, must be located to meet the road, property line, water and wetland setback distances, exterior dimensions and building heights listed in the tables in Sections 4 and 5 and approved by this permit.
4. Cleared openings created as part of construction activities authorized under this permit must be effectively stabilized and revegetated.
5. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
6. Upon completion of the authorized structures within the terms of this permit, any existing structures to be removed from the lot and other construction debris must be disposed of in a proper manner, in compliance with applicable state and federal solid waste laws and rules.
7. Soil disturbance must not occur when the ground is frozen or saturated. Topsoil must not be removed from the site except for that necessary for construction activities authorized in this permit. Topsoil must be stockpiled at least 100 feet from any water body.
8. Temporary and permanent sedimentation control measures must be implemented to effectively stabilize all areas of disturbed soil and to catch sediment from runoff water before it leaves the construction site so that sediment does not enter water bodies, drainage systems, water crossings, wetlands or adjacent properties. Clearing and construction activities, except those necessary to establish sedimentation control devices, shall not begin until all erosion and sedimentation control devices (including ditches, culverts, sediment traps, settling basins, hay bales, silt fences, etc.) have been installed and stabilized. Once in place, such devices shall be maintained to ensure proper functioning.
9. Effective, temporary stabilization of all disturbed and stockpiled soil must be completed at the end of each work day. All temporary sedimentation and erosion control devices shall be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.

18 ELKINS LANE, HARLOW BUILDING
www.maine.gov/acf

PHONE: 207-287-2631

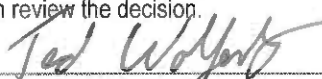
FAX: 207-287-7439

10. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
11. This permit is dependent upon and limited to the proposal as set forth in the application and supporting documents, except as modified by the Commission in granting this permit. Any variation is subject to prior review and approval of the Maine Land Use Planning Commission. Any variation from the application or the conditions of approval undertaken without approval of the Commission constitutes a violation of Land Use Planning Commission law.
12. If the permittee holds interest in this parcel of land via a sales contract or other binding agreement, the permittee shall submit a copy of the deed transferring title of this parcel to the Commission upon final execution of such deed.
13. Once construction is complete, the permittee shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittee shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.
14. The permittee shall secure and comply with all applicable licenses, permits, authorizations, and requirements of all federal, state, and local agencies including but not limited to: Air and Water Pollution Control Regulations; Subsurface Wastewater Disposal System approval from the Local Plumbing Inspector and/or Maine Department of Health and Human Services, Subsurface Wastewater Program.
15. All conditions of previously issued Commission permits shall remain in effect, except as specifically modified by this permit. In addition, all conditions of any Subdivision Permit authorizing the creation of the permittee's parcel as they pertain to said parcel shall remain in effect.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. Any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

LUPC AUTHORIZATION (for office use)

Based on the information you have submitted in the attached application and supporting documents, the staff of the Land Use Planning Commission concludes that, if carried out in compliance with the conditions of approval above, your proposal will meet the criteria for approval, 12 M.R.S.A. §685-B(4) of the Commission's statutes and the provisions of the Commission's *Land Use Districts and Standards*. Any variation from the application or the conditions of approval is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Planning Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.



LUPC Authorized Signature

9-17-15

Effective Date

For office use:

Maine Land Use Planning Commission
Department of Agriculture, Conservation and Forestry

41303	BP	9901-H	\$ 657.00
Tracking No.		Permit No.	Fee Received

Building Permit Amendment

1. APPLICANT INFORMATION

SHORT FORM for Residential Development

Applicant Name(s) Dennis W. & Cindy L. Frigon	Daytime Phone 534-9734	FAX (if applicable) 534-7500
Mailing Address P.O. Box 99	Email (if applicable) D.FRIGON@GMAIL.COM	
Town Rockwood	State Maine	Zip Code 04478

2. PROJECT LOCATION AND PROPERTY DETAILS

Township, Town or Plantation Tomhegan Twp.	County Somerset
Tax Information (check Tax Bill) Map: 3037 Plan: 2 Lot: 02-1.1 + 1.2	All Zoning at Development Site (check the LUPC map) P-6P P-WL1
Road Frontage. List the name(s) and frontage(s) (in feet) for any public or private roads, or other rights-of-way adjacent to your lot. Road #1: Baker Brook Rd Frontage 500 ft. Road #2: Frontage ft.	Water Frontage. List the name(s) and frontage(s) (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot. Waterbody #1: Moosehead Lake Frontage 1000+ ft. Waterbody #2: Frontage

3. EXISTING STRUCTURES (Fill in a line for each existing structure)

Previously issued Building Permit BP

Type of structure (dwelling, garage, deck, porch, shed, driveway, parking area, etc.)	Year built	Exterior dimensions (in feet) (LxWxH)	Type of foundation (full basement, slab, post, etc.)	Horizontal Distance (in feet) of structure from nearest:						
				Road	Property line	Lake or pond	River or stream	Wetland	Waters	Ocean/Tidal
Dwelling	2000	40x58x32	Full Basement	100'	100'	100'	N/A	75'	N/A	
SHED	2008	12x20x12	on Poles	100'	100'	100'	N/A	75'	N/A	
GARAGE	2009	22x64x24	Slab	100'	100'	100'	N/A	75'	N/A	

4. PROPOSED ACTIVITIES (Fill in a line for each new or modified structure)

Type of structure (dwelling, garage, deck, porch, shed, driveway, parking area, etc.)	Proposal (check all that apply)								Exterior Dimensions (in feet) (LxWxH)	Horizontal Distance (in feet) of structure from nearest:					
	New structure*	Reconstruct*	Expand	Relocate*	Remove	Enclose deck/porch	Permanent foundation*	Setbacks		Road	Property line	Lake or pond	River or stream	Wetland	Waters
Connect Dwelling and Garage with an addition	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	206'x58'x32'	100'	100'	100'	N/A	75'	N/A
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

* Reconstructions, Relocations, Permanent Foundations and New Accessory Structures.

- a. If the structure or foundation will not meet the LUPC's minimum setback distances from property lines, roads, water bodies or wetlands, explain what physical limitations (lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting setbacks:

RECEIVED

- b. For reconstructions, has the existing structure been damaged, destroyed or removed from your property? ☐ YES ☐ NO
 If YES, was the structure in regular active use within a 2-year period preceding the damage, destruction or removal? ☐ YES ☐ NO
 If YES, provide the date the structure was damaged, destroyed or removed: _____

5. VEGETATION CLEARING, FILLING AND GRADING, SOIL DISTURBANCE (If applicable, fill in this table)

	Proposed New Area (in sq. ft.) of cleared/filled/disturbed soil:	Distance (in feet) between edge of cleared/filled area and the nearest:					
		Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Tidal Waters
Cleared area		100'	100'	100'	N/A		N/A
Filled/disturbed area							
What is the average slope of land between the area to be filled/disturbed and the waterbody or wet							% <input type="checkbox"/> NA

6. PROSPECTIVELY ZONED AREAS (RANGELEY AREA ONLY)

Buffering in Prospectively Zoned Areas. Is your property located in one of the following Prospectively Zoned Areas or Townships? ☐ YES ☐ NO

Adamstown Twp. Dallas Plt. Lincoln Plt. Magalloway Twp.
 Rangeley Plt. Richardsontown Twp. Sandy River Plt. Town

If YES, please complete the following table regarding the width of the vegetative buffers at the narrowest existing and proposed structures and the nearest applicable road, property line, and subdistrict set back.

Standard Minimum Required:	Width of Vegetated Buffers				S or D-CI)
	Road	Side Property Line	Rear Property Line		
	25 feet in D-GN, D-GN2, D-GN3 50 feet in D-RS, D-RS2, D-RS3 75 feet in D-ES and D-CI	15 feet	15 feet	50 feet Buffer to other Subdistricts	
This property:	_____ feet	_____ feet	_____ feet	_____ feet	

Note: You may be required to submit Exhibit E: Documentation for Exceptions to Buffering Requirements. (See instructions on page iii)

7. APPLICANT SIGNATURE (REQUIRED) AND AGENT AUTHORIZATION (OPTIONAL)

Agent Name (if applicable)	Daytime Phone	FAX (if applicable)
Mailing Address	Email (if applicable)	
Town	State	Zip Code

I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete with all necessary exhibits. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing my permit decision. The information in this application is a true and adequate narrative and depiction of what currently exists on and what is proposed at the property. I certify that I will give a copy of this permit and associated conditions to any contractors working on my project. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by the LUPC. If there is an Agent listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this permit application. I understand that while there is a required Statewide Maine Uniform Building and Energy Code (MUBEC) administered by the Maine Department of Public Safety, Bureau of Building Codes & Standards, The Commission's review is limited only to land use issues and the Commission does not make any findings related to the MUBEC nor do the LUPC staff inspect buildings or enforce any provisions of that Code.

Please check one of the boxes below: (see "Accessing the Project Site for Site Evaluation and Inspection")

☒ I authorize staff of the Land Use Planning Commission to access the project site as necessary at any reasonable hour for the purpose of evaluating the site to verify the application materials I have submitted, and for the purpose of inspecting for compliance with statutory and regulatory requirements, and the terms and conditions of my permit. *I DO WANT TO BE THERE PLEASE*

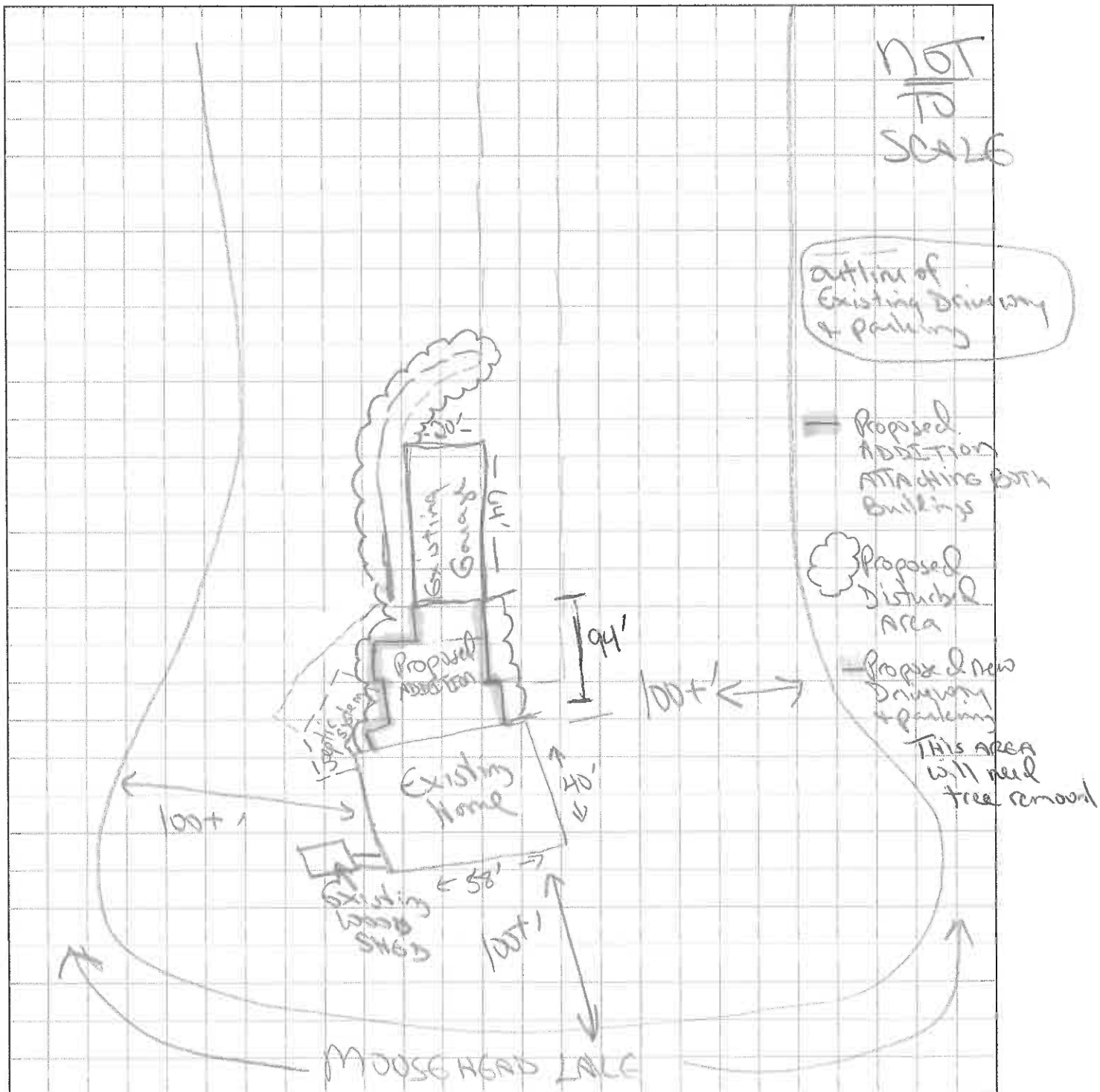
☐ I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to obtain my permission to fully access the project site for purposes of any necessary site evaluation and compliance inspection.

All appropriate persons listed on the deed, lease or sales contract must sign below.

Signature(s) _____ Date *6/29/15*
 _____ Date *6/29/15*

EXHIBIT C: SITE PLAN

Prepare a bird's-eye view site plan that shows your entire property and includes all the elements described for Exhibit C in the instructions on page ii. Do not use colors. Refer to the instructions on page ii for a sample site plan.



Notes/Legend:

Proposed addition dimensions
 Where it attaches to existing Home - Max - 43'
 Where it attaches to existing Garage - Max - 20'
 Height will not exceed 30' anywhere on proposed new section
 AT THIS POINT - floor plan uncertain, but pretty close to what you see above
 footprint

For office use:

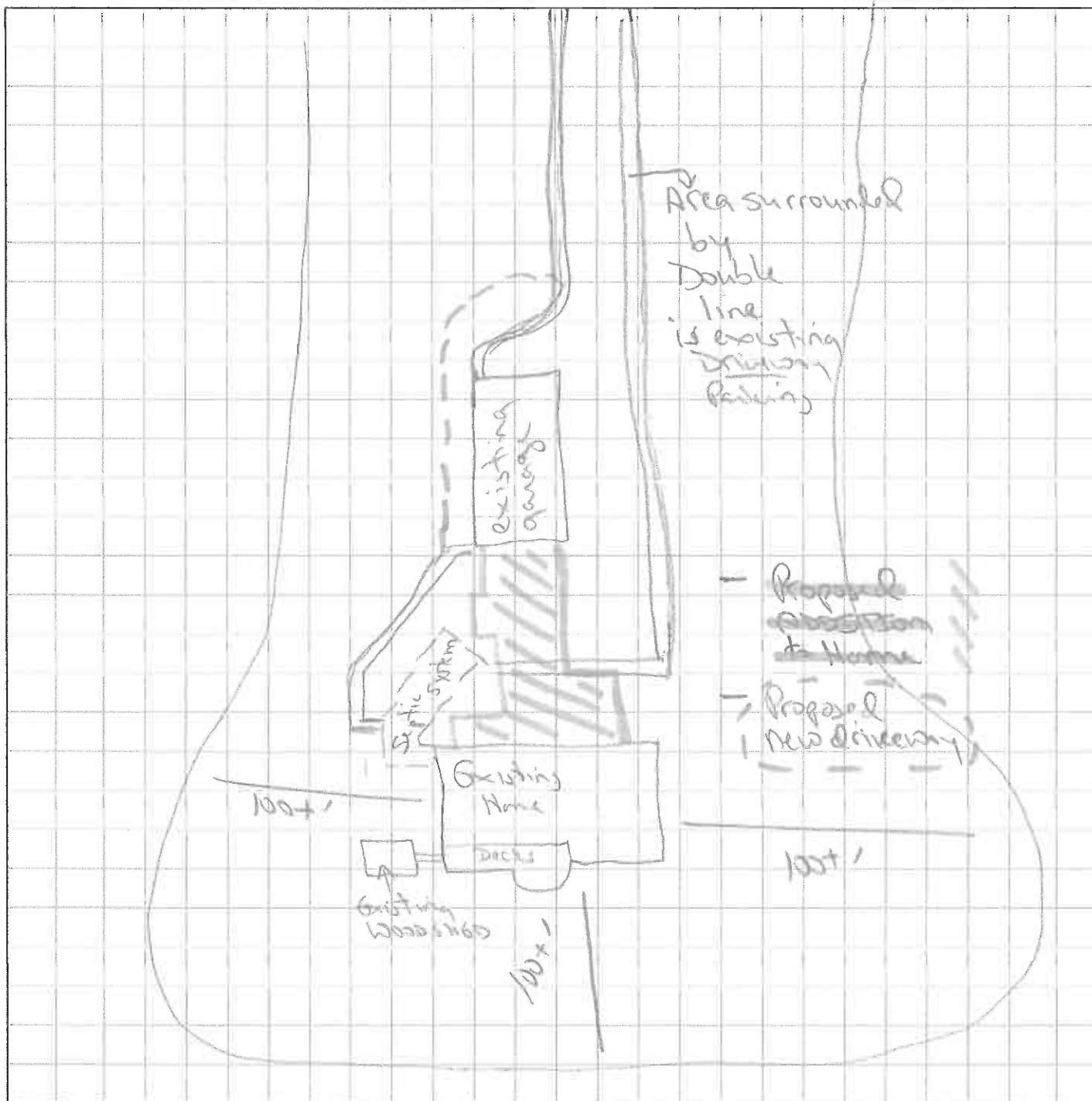
BP

Tracking No.

Permit No.

EXHIBIT D-1: SITE PLAN

Prepare a bird's-eye view site plan that shows your entire property and includes all the elements described for Exhibit D in the instructions. Do not use colors. Refer to the instructions for a sample site plan.



Notes/Legend:

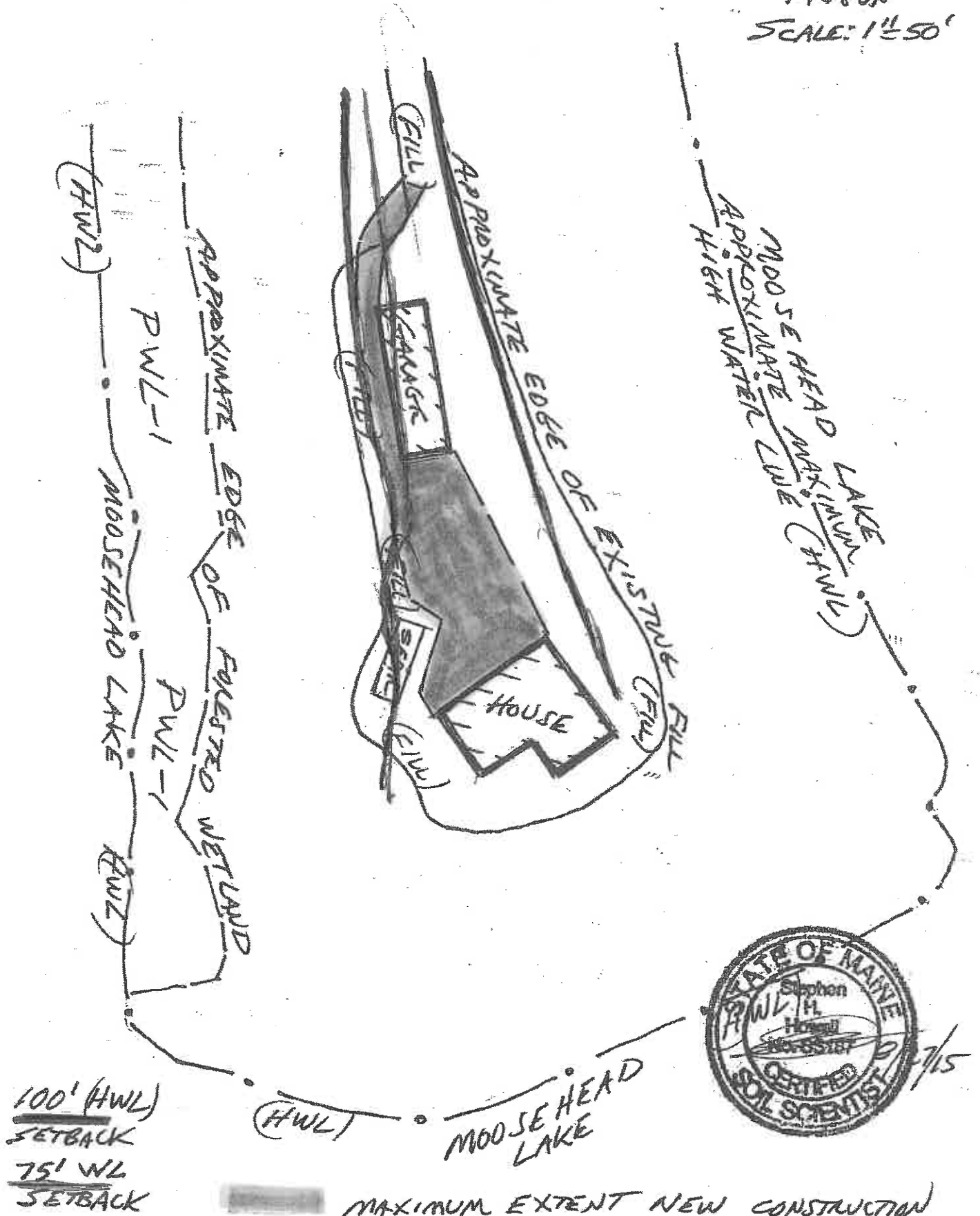
WETLAND SKETCH

TOMHEGAN TWP

21 SPRUCE POINT
ROAD

CINDY + DENNIS
FLEON

SCALE: 1" = 50'



Wolfertz, Ted

From: Cindy Frigon <dcfrigon@gmail.com>
Sent: Friday, August 28, 2015 7:08 AM
To: Wolfertz, Ted
Subject: Fwd: Re: FW: Frigon application
Attachments: Frigon Wetland Sketch.pdf

Is this what you need???? Please advise

----- Forwarded message -----

From: "Stephen Howell" <showellsoilsolutions@gmail.com>
Date: Aug 28, 2015 6:06 AM
Subject: Re: FW: Frigon application
To: "Cindy Frigon" <dcfrigon@gmail.com>
Cc:

Cindy,

Thank you for the aerial photograph and information. Based on that information and the wetland delineation and site work conducted on August 26 a Wetlands Sketch was prepared for your use. Although the sketch is hand drawn and rough, it is to scale and accurately reflects the wetland boundary on the portion of your lot proposed for construction. In addition, the sketch illustrates the location of existing fill, existing garage and house, maximum lake high water line, and maximum area of proposed future development. The wetland delineation was conducted following current standards but for purposes of clarity only the LUPC Chapter 10 wetland classification is included on the plan. As I mentioned on site, all wetlands within 75 feet of the proposed construction are forested wetlands. I decided not to have the attached sketch professionally drafted because it is clear from the sketch there is little to no potential impact to wetland resources. Specifically, when you discuss your proposed project with LUPC please point out the following:

1. There is no new construction, soil disturbance, or fill proposed within 100 linear feet of the maximum high water line of Moosehead Lake.
2. All of the proposed construction will occur within the foot print of existing fill that was placed prior to the current wetland rules, except for an approximately 100 square feet of new fill for parking north of the existing garage.
3. All of the proposed construction will occur outside the 75-foot PWL-1 recommended setback, except for approximately 1200 square feet of new fill within approximately 60 feet of the PWL-1 boundary to the west of the existing garage.
4. Construction will follow current erosion control standards required by LUPC for all projects within 250 feet of a lake and wetland. This will include installation of a sediment barrier between the edge of proposed construction and the lake or wetland.

Regarding potential phosphorus control concerns. It is my understanding that a common treatment factor for phosphorus control is use of undisturbed forested buffers. Since it is your intent to maintain the existing undisturbed forested buffer ranging from 60 feet to more than 75 feet between the edge of proposed construction and the edge of the forested wetland, a forested buffer meeting or exceeding minimum requirements under the current "Phosphorus Control in Lake Watersheds" handbook already exists. In addition, with implementation of required LUPC erosion control standards, including a sediment barrier, movement of soil material into the buffer zone will not be an issue. This is critical because it is a well established fact that

available phosphorus will only move into a waterbody when attached to a soil particle. That is, without movement of a soil particle into the water from erosion there is little to no translocation of phosphorus into waterbodies. With a 60 to 75 foot wide undisturbed forested buffer and required erosion control measures, additional phosphorus control measures should not be required.

Please feel free to forward this email and attached sketch to LUPC if you concur with my work. If you prefer to have a professional drafted plan and report let me know. Please let me know if you have any questions.

Steve Howell
Soil Solutions

On Thu, Aug 27, 2015 at 4:20 PM, Cindy Frigon <dcfrigon@gmail.com> wrote:

Steve...the map is attached...I will call you on the measurementsnot sure what you want

WETLAND SKETCH

TOMHEGAN TWP

21 SPRUCE POINT ROAD

CINDY + DENNIS
FLEON

SCALE: 1" = 50'

